

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-55-23-8) FROM R1-10 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 7.18-acre property located approximately 1,170 feet west of the southwest corner of 35th Glen and Dobbins Road in a portion of Section 10, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "R1-10" (Single-Family Residence District) to "R-2" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development layout shall be in general conformance with the site plan date stamped October 25, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum of 25% of the building elevations visible from public rights-of-way or the main private drive shall contain a minimum of three different exterior accent materials that includes metal, wood, and concrete, as approved by the Planning and Development Department.
3. All required landscape setbacks shall be planted with minimum 2-inch caliper large canopy, drought tolerant trees, planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. Landscape areas and surface retention areas shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant shade trees planted 25 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. The entry driveway surface shall incorporate decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
6. A perimeter wall no less than 6 feet in height shall be provided along the eastern portion of the site, as approved by the Planning and Development Department.
7. A minimum of 10% of the gross site area shall be retained as common open space.
8. Where pedestrian walkways cross a vehicular path, the pathway shall incorporate decorative pavers, stamped or colored concrete, striping or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
9. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper, single trunk, large canopy, drought tolerant, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 10% shade, as approved by Planning and Development Department.
10. The development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
 - a. The developer shall provide secured bicycle parking per Section 1307 of the Zoning Ordinance.

- b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces. Parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to standard repair tools affixed to the station, a tire gauge and pump affixed to the base of the station or the ground, and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. Bicycle parking shall be shaded at 100%.
- 11. A minimum of 5% of the required parking spaces shall be EV Capable.
 - 12. A 5-foot-wide detached sidewalk separated by a minimum 8-foot landscape strip shall be constructed along the south side of Dobbins Road, adjacent to the development and planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 25 feet on center or in equivalent groupings. Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
 - 13. All existing overhead power lines along Dobbins Road shall be undergrounded. The developer shall coordinate with the affected power company for design and approval.
 - 14. The developer shall submit a traffic analysis to the city for this development. The TIA shall include turn lane analysis in conformance with the street planning and design guidelines to determine feasibility. No preliminary approval of plans shall be granted until the study has been approved by the Street Transportation Department and the left-hand turn issue is resolved.
 - 15. The speed limit inside the development shall not exceed 15 miles per hour.
 - 16. The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.

17. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property or tenants within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. The form and content of such documents shall be reviewed and approved by the City prior to recordation. This disclosure shall also be provided in the leasing documents in a section titled “nuisances”.
18. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
19. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 7th day of February, 2024.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-55-23-8

Located in the Northeast Quarter of Section 10, Township 1 South, Range 2 East, Gila and Salt River Meridian, Maricopa County, Arizona. Described as follows;

Commencing at the Northwest corner of said Northeast Quarter;

Thence North $89^{\circ}45'51''$ East, along the North line of said Northeast Quarter, a distance of 654.62 feet to the Point of Beginning;

Thence continuing along said North line, North $89^{\circ}45'51''$ East, a distance of 231.24 feet;

Thence departing said North line, South $00^{\circ}04'02''$ East, a distance of 1,318.46 feet;

Thence South $89^{\circ}45'26''$ West, a distance of 231.62 feet;

Thence North $00^{\circ}03'02''$ West, a distance of 1,318.48 feet to the Point of Beginning.

Containing 305,134.26 square feet or 7.00 acres, more or less.

EXHIBIT B

Zoning Case Number: Z-55-23-8
Zoning Overlay: N/A
Planning Village: Laveen

